
By: **Delegate C. Davis**
Introduced and read first time: February 18, 2003
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Parole - Life Imprisonment - Approval of Governor**

3 FOR the purpose of exempting certain inmates who are serving a term of life
4 imprisonment from the requirement for approval by the Governor before parole
5 may be granted; and generally relating to eligibility for parole.

6 BY repealing and reenacting, with amendments,
7 Article - Correctional Services
8 Section 7-301(d)
9 Annotated Code of Maryland
10 (1999 Volume and 2002 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Correctional Services**

14 7-301.

15 (d) (1) Except as provided in paragraphs (2) and (3) of this subsection, an
16 inmate who has been sentenced to life imprisonment is not eligible for parole
17 consideration until the inmate has served 15 years or the equivalent of 15 years
18 considering the allowances for diminution of the inmate's term of confinement under
19 § 6-218 of the Criminal Procedure Article and Title 3, Subtitle 7 of this article.

20 (2) An inmate who has been sentenced to life imprisonment as a result of
21 a proceeding under § 2-303 or § 2-304 of the Criminal Law Article is not eligible for
22 parole consideration until the inmate has served 25 years or the equivalent of 25
23 years considering the allowances for diminution of the inmate's term of confinement
24 under § 6-218 of the Criminal Procedure Article and Title 3, Subtitle 7 of this article.

25 (3) (i) If an inmate has been sentenced to imprisonment for life
26 without the possibility of parole under § 2-203 or § 2-304 of the Criminal Law Article,
27 the inmate is not eligible for parole consideration and may not be granted parole at
28 any time during the inmate's sentence.

1 (ii) This paragraph does not restrict the authority of the Governor
2 to pardon or remit any part of a sentence under § 7-601 of this title.

3 (4) If eligible for parole under this subsection, an inmate serving a term
4 of life imprisonment may only be paroled:

5 (I) with the approval of the Governor; OR

6 (II) IF THE INMATE IS AT LEAST 50 YEARS OLD AND HAS SERVED AT
7 LEAST 25 YEARS OR THE EQUIVALENT OF 25 YEARS CONSIDERING THE ALLOWANCES
8 FOR DIMINUTION OF THE INMATE'S TERM OF CONFINEMENT UNDER § 6-218 OF THE
9 CRIMINAL PROCEDURE ARTICLE AND TITLE 3, SUBTITLE 7 OF THIS ARTICLE.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2003.